



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/06/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.6609 of 2021

1. Manimozhi
2. P.Murugesan

... Petitioners/Accused Nos.1 & 2

Vs

State Rep. by
The Inspector of Police,
District Crime Branch,
Theni.
Crime No.8 of 2021.

... Respondent/Complainant

L.Gurusamy

... Intervening Petitioner/
Proposed 2nd Respondent
in CRL MP(MD) No.3718 of 2021
in CRL OP(MD) No.6609 of 2021

For Petitioners : Mr.Azagarsami.AK.,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Government Advocate (Crl.Side).

For Intervenor : Mr.R.J.Karthick, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

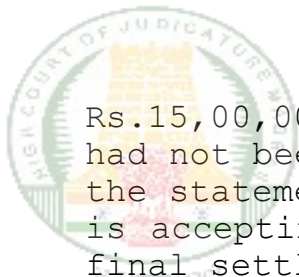
PRAYER :- For Anticipatory Bail in Crime No.8 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(B), 420, 294(b) and 506(i) of I.P.C., in Crime No.8 of 2021 on the file of the respondent police, seek anticipatory bail.

3. It is seen that the defacto complainant and his colleagues had entered into a sale agreement with the petitioners way back in the year 2013. A sum of Rs.40,00,000/- was paid and the same was
<https://hservices.mca.gov.in/hservices/> the year 2019 without interest. However, a sum of



Rs.15,00,000/- and odd was also paid towards other charges and they had not been returned. The petitioners' counsel drew my attention to the statement given by the defacto complainant to the effect that he is accepting the returned amount of Rs.40,00,000/- towards full and final settlement.

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4. I felt that when the aforesaid amount was received in the year 2013 and the same was returned after a gap of almost six years, it ought to carry interest. The petitioners' counsel states that they would endeavour to conclude the matter through mediation. Therefore, the matter was adjourned.

5. Today when the matter was taken up for hearing, the learned counsel appearing for the intervenor made serious allegations against the second petitioner. It is stated that the second petitioner had threatened one of the witnesses and that the complaint had been made before the Deputy Superintendent of Police also.

6. Taking note of these aspects, I am not inclined to grant relief to the petitioners. This criminal original petition is dismissed.

sd/-

11/06/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6609 of 2021

Date :11/06/2021

PMU

JM/AKM/SAR II/16.06.2021/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>